

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Samuel B. Foster, Jr.,

Plaintiff,

-against-

City of New York and NYC Health +
Hospitals,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 9/14/2023

1:23-cv-02861 (PAE) (SDA)

ORDER

STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:

Following a telephone conference with the parties, and for the reasons stated on the record, it is hereby Ordered as follows:

1. Based upon the detailed description provided by Plaintiff during today's conference regarding the correction officer discussed in the Complaint, Defendant City of New York shall attempt to identify the name and badge number of the officer in accordance with the *Valentin* Order. (See Order of Service, ECF No. 7, at 4-5.) Plaintiff is relieved of the requirement to provide further information in writing.¹ (See Memo End., ECF No. 17.)
2. In addition, Defendant New York City Health + Hospitals Corporation ("HHC") shall attempt to identify any medical personnel who decided to send medicine to Plaintiff in lieu of examining him. Defendant HHC is relieved of the obligation to otherwise

¹ During the conference, Plaintiff indicated that he had not received the Court's prior Order. The Court respectfully requests that defense counsel contact West Facility to inquire, as they indicated their willingness to do during the conference. Any legal mail should be provided to Plaintiff as soon as possible. The Court appreciates defense counsels' assistance in this regard.

identify additional medical staff as discussed in the *Valentin* Order. (See Order of Service at 4.)

3. The deadline for Defendants to comply with the *Valentin* Order is extended until October 13, 2023.
4. No later than November 13, 2023, Plaintiff shall file an Amended Complaint naming the previously unknown defendants and adding any additional factual allegations in support of his claims. Plaintiff is reminded that the Amended Complaint will replace, not supplement, the original Complaint.
5. The deadline for Defendants to respond to the Complaint is adjourned *sine die*.

SO ORDERED.

Dated: New York, New York
September 14, 2023



STEWART D. AARON
United States Magistrate Judge